

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	<b>CV 12-10275-RGK (CWx)</b>	Date	April 16, 2013
Title	<b><i>Jimerson v. FBS Card Service Inc. et al.</i></b>		

Present: The Honorable	R. GARY KLAUSNER, U.S. DISTRICT JUDGE
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Sharon L. Williams (Not Present) Deputy Clerk	Not Reported Court Reporter / Recorder	N/A Tape No.
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Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: (IN CHAMBERS) Order Re: Defendant's Motion to Dismiss (DE 8)**

On December 5, 2012, Jamey Deon Jimerson in *pro per* ("Plaintiff") filed this action against FBS Card Service Inc. ("Defendant"). In the Complaint, Plaintiff alleges one claim for violation of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681. He discovered this violation on February 9, 2012, when Plaintiff received a copy of his Equifax credit report. After reviewing the report, he noticed an alleged "unauthorized inquiry" by Defendant in June 2007. Plaintiff contends that Defendant violated the FCRA by improperly requesting his credit information and inaccurately reporting credit information about him. (Compl. ¶¶ 11-14.)

Presently before the Court is Defendant's Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). For the following reasons, the Court **GRANTS** Defendant's Motion.

Plaintiff's single claim fails, because it is barred by the applicable statute of limitations. A plaintiff must bring a FCRA claim within the shorter of "2 years after the date of discovery by the plaintiff of the violation that is the basis of such liability, or 5 years after the date on which the violation that is the basis for such liability occurs." 15 U.S.C. § 1681p.

Here, Plaintiff alleges that Defendant made an improper request in June 2007. Pursuant to the statute of limitations, he had to bring suit by June 2012. Because Plaintiff did not file this suit until November 2012, his claim is time barred.

Accordingly, the Court **GRANTS** Defendant's Motion to Dismiss.

**IT IS SO ORDERED.**

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Initials of Preparer